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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

LARON ONEAL, individually,

Plaintiff,

VS.

ALBERTSON'S, LLC d/b/a
ALBERTSON'S; SAFEWAY INC. d/b/a
ALBERTSON'S; ALBERTSON'S STORES
SUB LLC; AB ACQUISITION LLC; DOES
1 through 100 and ROE CORPORATIONS 1
through 100, inclusive,

Defendants.

| Case No.: 2:23-cv-00643-APG-MDC

**STIPULATION AND ORDER TO
STRIKE AND REPLACE PLAINTIFF'S
INCORRECTLY FILED EXHIBIT NO.
4 TO ECF NO. 88, PLAINTIFF'S BRIEF
RE: SANCTIONS AGAINST
SHANDANA MERGERSON; AND,
REOPENING DISCOVERY FOR
LIMITED PURPOSE OF
COMPLETING DEPOSITION OF
SHANDANA MERGERSON AND
CONDUCTING DEPOSITION OF
DEFENDANTS PURSUANT TO FRCP
30(B)(6)**

Plaintiff, LARON ONEAL, by and through his attorneys, Steven T. Jaffe, Esq. of Hall Jaffe, LLP, and Farhan R. Naqvi, Esq., of Naqvi Injury Law and Defendants ALBERTSON'S, LLC d/b/a ALBERTSON'S; SAFEWAY INC. d/b/a ALBERTSON'S; ALBERTSON'S STORES SUB LLC; and AB ACQUISITION LLC, by and through their attorneys, Jack P. Burden, Esq. and Jacquelyn M. Franco, Esq., Backus Burden, request and stipulate as follows:

1 Pursuant to the April 25, 2025, Court in Minutes of Proceedings [ECF No. 84] it was
2 ordered that Plaintiff file by May 12, 2025 a brief in support of his request that a Bench
3 Warrant issue for Shandana Mergerson and his request to reopen discovery for the limited
4 purpose of completing the deposition of Shandana Mergerson and Defendants' witness
5 produced pursuant to FRCP 30(B)(6).

6 While reviewing Plaintiff's Brief [ECF No. 88] on June 6, 2025, Plaintiff's counsel
7 observed that his office inadvertently and mistakenly filed a confidential portion of the
8 deposition transcript of Laurie Dufala's October 16, 2024, as Exhibit 4 to the Brief. Plaintiff's
9 counsel immediately notified defense counsel about the error and counsel both agreed that due
10 to the sensitive nature of the confidential deposition transcript of Ms. Dufala, Exhibit 4, should
11 be stricken from the record, and replaced by the proper portion of the deposition, attached
12 hereto. The parties stipulate the attached transcript reflects the intended portion to have been
13 attached, and stipulate to have this portion inserted instead of the confidential transcript
14 mistakenly originally served and filed.

15 IT IS HEREBY STIPULATED AND AGREED that Exhibit 4 filed on May 12, 2025,
16 as part of ECF No. 88, shall be stricken from the record and the Court shall enter an order
17 striking Exhibit 4. Upon entry of this Stipulation and Order, Exhibit 4 shall be deemed
18 removed from the record and shall not be considered by the Court in making any
19 determination in this case.

20 IT IS FURTHER STIPULATED AND AGREED that the corrected version of Exhibit 4
21 attached hereto be substituted for the stricken transcript.

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The parties understand and agree that this Stipulation and Order may be entered by the Court without further hearing or notice.

s/ Steven T. Jaffe
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/s/ Jacquelyn Franco
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ORDER

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that said Exhibit 4 to Plaintiff's Brief [ECF No. 88] is hereby withdrawn and stricken from the record and shall not be considered in this matter.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the correct version of Exhibit 4 shall be filed in its place and replace the stricken exhibit.

UNITED STATES MAGISTRATE JUDGE

1-10-25